REMARKS

The applicant notes that part 12 of the Office Action Summary fails to acknowledge the claim for priority under section 119 and there is no indication that all of the certified copies of the priority documents have been received. A certified copy of the priority document was filed with this application on 13 April 2004. The applicant respectfully requests the examiner to acknowledge the claim for priority and receipt of the certified copy of the priority document.

The applicant acknowledges and appreciates receiving a copy of form PTO-1449, on which the examiner has initialed the sole listed item. The applicant notes that box 3 for indicating attachment of a copy of the PTO-1449 should have been checked on the Office Action Summary.

Claims 1 and 3-8 are pending. Claim 2 has been canceled. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 1-5 were rejected under 35 USC 103(a) as being unpatentable over the Japanese reference to Tsuda. The applicants respectfully request that this rejection be withdrawn for the following reasons.

The fluid level detecting device (1) of the amended claims includes a float (2), a float arm (3), a conductive resin float arm holder (4), an electrical connector member (6), a sliding contact (7), and an electrical resistance element (8). The float is connected to the float arm, and the float arm is electrically connected to the resistance element via the float arm holder, the connector member, and the sliding contact. The resistance element is electrically connected to an external circuit. Static, which builds up on the float, is released via the float arm, the float arm holder, the

connector member, the sliding contact, and the resistance element. Therefore, electrical distortion in the fluid level detecting device is reduced, and the accuracy of fluid level detection is improved.

In the fluid level detecting device of claim 3, the electrical connector member has an extended portion (61) that is directly and electrically connected with the float arm, to which the float is connected. The float arm is electrically connected with the electrical resistance element via the connector member, and the sliding contact. Static that builds up on the float is released via the float arm, the connector member, and the sliding contact. Thus, electrical distortion in the fluid level detecting device is reduced and the accuracy in fluid level detection is improved.

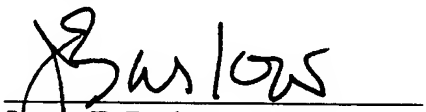
The Japanese reference to Tsuda does not disclose or suggest an electrical connection between a float arm (21, 111), a float arm holder (30, 130), a sliding contact (33), and a resistance element (40) as the examiner admitted. Tsuda does not disclose or suggest a structure or a method for releasing static on the float for reducing electrical distortion in a fluid level detecting device to improve accuracy in fluid level detection. Therefore, the present invention would not have been obvious a person of ordinary skill in the art in view of the Tsuda reference.

The examiner stated that the type of resin used is a mere matter of design choice. However, resin, or plastic, is normally not conductive. Therefore, conductive resin would not have been an obvious choice. Conductive resin and non-conductive resin are not equivalents and it would not have been obvious to substitute one for the other. Conductive resin requires additional ingredients and additional manufacturing steps and is thus more expensive. There must be some suggestion in the Tsuda reference to use a conductive resin before it can be said to have been obvious. Therefore, the applicant respectfully requests that this rejection be withdrawn.

In view of the forgoing, the applicant respectfully submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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